

differed from the description in his letter to Sen. McCain, but said she believed the new text merely clarified the earlier statements by adding information. Lyder juxtaposed the new text with language from the earlier letter, and felt that they appeared compatible.

Lyder circulated her draft with the Babbitt text to Leshy, Sibbison, Michael Anderson, Babbitt, Shields and Gauldin. Sibbison told investigators that she was particularly troubled by the sentence that read “I do believe that Mr. Eckstein’s recollection that I said something to the effect that Mr. Ickes wanted a decision is correct.”⁶²⁹ Sibbison was concerned that this sentence could be perceived as inconsistent on its face with the letter to McCain. She explained that while she believed the letters were not substantively inconsistent, she did not think that DOI could rely on readers of the letters to carefully parse them out. According to Lyder, when Sibbison expressed concern that the paragraph about the Eckstein comment was confusing and could be perceived as inconsistent with Babbitt’s letter to McCain, Lyder responded that the text had been drafted by Babbitt himself and that Lyder was not going to change it.⁶³⁰

Lyder gave Leshy a copy of the letter on computer disk, the editing comments made by Sibbison – including her concerns about the Eckstein paragraph – and a draft with some mark-ups from the Secretary’s office.⁶³¹ Leshy ultimately reorganized and rewrote most of the letter.

⁶²⁹OIC Interview of Heather Sibbison, Feb. 26, 1999, at 16.

⁶³⁰Sibbison told investigators that Lyder responded to her expression of concern by committing to communicate her comments to Leshy, and stating that there would be a further draft. She does not recall being told the Secretary had written this text. Sibbison did not see the letter again before it went out. She had a conversation later with Leshy who told her he thought she had reviewed it again before it was finished. At that time, Leshy told Sibbison that the language in question had been drafted by Babbitt himself.

⁶³¹In accordance with Lyder’s usual practice, she later asked Leshy for the drafts,
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